



JOHN T. MORRIS,  
*Plaintiff,*

VS.

STATE OF TEXAS, ET AL.,  
*Defendants.*

EDDIE RODRIQUEZ, ET. AL.,  
*Plaintiffs,*

VS.

RICKY PERRY, ET. AL.  
*Defendants.*

*[Decorative separator consisting of a series of repeating scroll-like motifs]*

Civil Action No. 11-CV-615-OLG-JES-XR  
[Consolidated Case]

Civil Action No. 11-CV-635-OLG-JES-XR  
[Consolidated Case]

**TEXAS DEMOCRATIC PARTY AND GILBERTO HINOJOSA'S  
AMENDED DESIGNATION OF EXPERT WITNESSES**

TO THE HONORABLE JUDGES OF SAID COURT:

COMES NOW Texas Democratic Party and Gilberto Hinojosa, in his capacity as Chair of the Texas Democratic Party (hereinafter collectively referred to as “TDP”), in the above entitled and numbered cause, and files this Amended Designation of Expert Witnesses and would show this Honorable Court as follows:

TDP acknowledges that the court has dismissed its partisan gerrymander claims. Because of the manner in which this case has developed, TDP has not yet had an opportunity to appeal the Court’s decision dismissing its claims. In the intervening years, election data has developed, as has the law concerning partisan gerrymander claims. The Supreme Court is likely to consider a partisan gerrymander case in the next term and this case is likely to be subjected to Supreme Court appellate review. Although TDP

recognizes that is likely to not be permitted to offer evidence at the upcoming trial in this case, it nevertheless desired to timely file an expert designation and report under the developing partisan gerrymander standard of efficiency gap so that it is part of the Court record on appeal.

**I.**

**PLAINTIFFS' DESIGNATION OF EXPERT WITNESSES**

1. Dr. Michael P. McDonald  
Associate Professor,  
George Mason University Non-Resident Senior Fellow,  
Brookings Institution  
George Mason University  
Dept. of Public and International Affairs  
4400 University Drive - 3F4  
Fairfax, VA 22030-4444  
*Witness will testify with regard to the matters described in the earlier produced reports and the earlier provided deposition.*
2. Chad W. Dunn  
K. Scott Brazil  
Brazil & Dunn  
4201 Cypress Creek Parkway, Suite 530  
Houston, Texas 77068  
*Witness will testify with regard to the reasonableness and necessity of attorney fees at the appropriate time.*
3. Bernard L. Fraga  
Assistant Professor,  
Indiana University  
Woodburn Hall 210  
1100 E. 7<sup>th</sup> Street  
Bloomington, IN 47405  
*Witness will testify with regard to the matters described in the attached report.*

**II.**

**SUPPLEMENTATION AND CROSS-DESIGNATION**

TDP will designate other experts in accordance with the Court's docket control order and the Federal Rules of Civil Procedure, and therefore, will supplement this response.

TDP hereby cross designates and states that they may call any expert witness identified or designated by any party or any employee or representative of any adverse party, subject to any objections that Intervenor may make concerning the designation or qualifications of those witnesses.

TDP reserves the right to elicit by way of cross examination, opinion testimony from experts or corporate representatives or other witnesses who may be qualified to render expert testimony designated and/or called by other parties to the suit.

TDP reserves the right to elicit by way or direction/cross examination, opinion testimony from fact witnesses who may be qualified to render expert testimony, but are not retained experts at this time, who have expertise in certain areas regarding the facts of this case.

TDP reserves the right to elicit by way of direct/cross examination, opinion testimony for experts designated and/or called by other parties to the suit. TDP reserves the right to call any expert witness of any party who may be added to this lawsuit.

Dated this 26 day of May, 2017.

Respectfully submitted,

By: /s/ Chad W. Dunn  
Chad W. Dunn  
State Bar No. 24036507  
General Counsel  
TEXAS DEMOCRATIC PARTY  
BRAZIL & DUNN  
K. Scott Brazil  
State Bar No. 02934050  
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ATTORNEY FOR INTERVENOR  
TEXAS DEMOCRATIC PARTY AND  
GILBERTO HINOJOSA, IN HIS  
CAPACITY AS CHAIR OF THE  
TEXAS DEMOCRATIC PARTY

**CERTIFICATE OF SERVICE**

I hereby certify that on the 26th day May, 2017, this pleading was filed via ECF and electronically served on all counsel of record.